

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF MISSISSIPPI**

**IN RE: VIVIAN SMITH**

**Case No. 18-13926**

**OBJECTION TO CONFIRMATION OF PLAN**

COMES NOW, the Creditor, Republic Finance, LLC, by and through its attorney of record and files this, its Objection to Confirmation of Chapter 13 Plan as to the Creditor's treatment for the purpose of plan confirmation and would respectfully show unto this honorable Court, as follows:

(1)

Debtor is indebted to Republic Finance, LLC on a loan evidenced by Republic Finance, LLC's proof of claim that will be filed in this case in the amount of \$3,635.95, not including Republic Finance, LLC's post-petition interest, attorney's fees and costs and expenses to the extent permissible under 11 U. S. C. § 506(b). Republic Finance LLC's claim is secured by a duly perfected UCC financing statement which contains the following collateral: Toro riding mower, weedeater, trampoline exercise station, drill, Hp desktop computer, Acer laptop, Hp laptop, Dell laptop, Cannon color printer, Hp color printer, 1kt diamond ring, 42" Panasonic TV, 50" Samsung TV, 32" Samsung TVs (2), 28" flatscreen TV, RCA stereo system, Lg tablet, Singer sewing machine, Brother embroidery machine, Cricket vinyl cutting machine, Silhouette vinyl cutting machine, DVD player and Bluray player.

(2)

The value of the collateral securing the claim is not less than \$3,635.95 and significantly exceeds the proposed \$410.00 value proposed to be paid under the plan. The plan would result in distribution to Republic Finance, LLC of an amount less than it would receive in a Chapter 7

liquidation.

(3)

The Creditor would show that the debt presently owed on the property is \$3,635.95 protected by collateral valued at \$9,275.00 making the Creditor, Republic Finance, LLC, fully secured.

WHEREFORE, PREMISES CONSIDERED, the Creditor, Republic Finance, LLC prays that the Court will sustain its objection and deny Confirmation of the Debtor's proposed treatment and that the Creditor be paid in full at a rate according to the proper valuation and for other relief as is good and equitable. Further, that the Court will dismiss the Debtor's Chapter 13 bankruptcy.

Respectfully submitted,

AKINS & ADAMS, P. A.  
By:s/ Bart M. Adams  
Bart M. Adams  
Attorney for Republic

AKINS & ADAMS, P. A.  
108 E. JEFFERSON STREET  
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**CERTIFICATE OF SERVICE**

I, Bart M. Adams, attorney of record for the Creditor, do hereby certify that the following parties, being registered with the CM/ECF system, have this day received electronic notification to:

Locke D. Barkley [sbeasley@barkley13.com](mailto:sbeasley@barkley13.com)

U. S Trustee [USTPRegion05.AB.ECF@usdoj.gov](mailto:USTPRegion05.AB.ECF@usdoj.gov)

Karen B. Schneller, Esq. [karen.schneller@gmail.com](mailto:karen.schneller@gmail.com)

SO, CERTIFIED, this, the 29<sup>th</sup> day of October, 2018.

/s/ Bart M. Adams  
Bart M. Adams  
Attorney for Creditor